

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA

Plaintiff,

Case No. 6:15-cr-417-MC-1

v.

OPINION AND ORDER

MICHAEL S. HOLCOMB,

Defendant.

MCSHANE, Judge:

Defendant Michael Holcomb moves to reduce his sentence under 18 U.S.C. § 3582(c)(1)(A). ECF No. 138. The Court agrees that “extraordinary and compelling” reasons justify reducing the sentence and the Emergency Motion to Reduce Sentence, ECF No. 138, is GRANTED.

Mr. Holcomb is not a career criminal. While in custody (serving over half of his expected sentence), he has been a model prisoner. The government agrees that Mr. Holcomb is not a danger to the community. There is no dispute that Mr. Holcomb suffers from multiple factors (age, high blood pressure, hyperlipidemia) putting him at increased risk of COVID-19. As noted by the government, the BOP already concluded that Mr. Holcomb qualifies for release to home confinement under the First Step Act. And while Mr. Holcomb is currently scheduled to be released to home confinement on November 25, 2020, the BOP earlier pushed back that release date with no explanation. Even though Mr. Holcomb is set to be released in short order, because he meets the requirements for compassionate releasee, his sentence of imprisonment is reduced to

time serviced, with the following added condition: (1) home detention as a condition of supervised release for the remaining time left to serve on his original 72-month sentence.

The Court orders the BOP to release Mr. Holcomb as soon as possible.

IT IS SO ORDERED.

DATED this 13th day of November, 2020.

/s Michael McShane

Michael J. McShane
United States District Judge